

110TH CONGRESS  
2D SESSION

# S. 3658

To require the accreditation of English language training programs, and  
for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 17), 2008

Mr. CARPER introduced the following bill; which was read twice, considered,  
read the third time, and passed

---

## A BILL

To require the accreditation of English language training  
programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. ACCREDITATION OF ENGLISH LANGUAGE**  
4       **TRAINING PROGRAMS.**

5       (a) IN GENERAL.—Section 101(a) of the Immigra-  
6       tion and Nationality Act (8 U.S.C. 1101(a)) is amended—

7               (1) in paragraph (15)(F)(i), by striking “a lan-  
8       guage” and inserting “an accredited language”; and

9               (2) by adding at the end the following:

1       “(52) The term ‘accredited language training pro-  
 2 gram’ means a language training program that is accred-  
 3 ited by an accrediting agency recognized by the Secretary  
 4 of Education.”.

5       (b) EFFECTIVE DATE.—

6           (1) IN GENERAL.—Except as provided in para-  
 7 graph (2), the amendments made by subsection (a)  
 8 shall—

9           (A) take effect on the date that is 180  
 10 days after the date of the enactment of this  
 11 Act; and

12           (B) apply with respect to applications for  
 13 a nonimmigrant visa under section  
 14 101(a)(15)(F)(i) of the Immigration and Na-  
 15 tionality Act (8 U.S.C. 1101(a)(15)(F)(i)) that  
 16 are filed on or after the effective date described  
 17 in subparagraph (A).

18       (2) TEMPORARY EXCEPTION.—

19           (A) IN GENERAL.—Notwithstanding sec-  
 20 tion 101(a)(15)(F)(i) of the Immigration and  
 21 Nationality Act, as amended by subsection (a),  
 22 during the 3-year period beginning on the date  
 23 of the enactment of this Act, an alien seeking  
 24 to enter the United States to pursue a course  
 25 of study at a language training program that

1 has been certified by the Secretary of Home-  
2 land Security and has not been accredited or  
3 denied accreditation by an entity described in  
4 section 101(a)(52) of such Act may be granted  
5 a nonimmigrant visa under such section  
6 101(a)(15)(F)(i).

7 (B) ADDITIONAL REQUIREMENT.—An  
8 alien may not be granted a nonimmigrant visa  
9 under subparagraph (A) if the sponsoring insti-  
10 tution of the language training program to  
11 which the alien seeks to enroll does not—

12 (i) submit an application for the ac-  
13 creditation of such program to a regional  
14 or national accrediting agency recognized  
15 by the Secretary of Education within 1  
16 year after the date of the enactment of this  
17 Act; and

18 (ii) comply with the applicable accred-  
19 iting requirements of such agency.

○